

PROB 12C
(6/16)

Report Date: February 8, 2019

United States District Court

for the

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
FEB 08 2019
SEAN F. McAVOY, CLERK
SPOKANE, WASHINGTON DEPUTY

Name of Offender: Jose Filiberto Ariza, Jr. Case Number: 0980 2:16CR00084-WFN-1

Address of Offender [REDACTED] Spokane, Washington 99201

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: June 14, 2017

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. §§ 922(g)(1) and 924(a)(2)

Original Sentence: Prison - 34 months; Type of Supervision: Supervised Release
TSR - 36 months

Asst. U.S. Attorney: U.S. Attorneys Office Date Supervision Commenced: November 16, 2018

Defense Attorney: Federal Defenders Office Date Supervision Expires: November 15, 2021

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Special Condition # 2:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Mr. Ariza is alleged to be in violation of special condition number 2 for being noncompliant with chemical dependency treatment for the month of January 2019.

On November 16, 2018, Mr. Ariza reported to the U.S. Probation Office for the purpose of an intake. It was at that time Mr. Ariza was informed of all mandatory, standard, and special conditions of supervised release. Mr. Ariza signed his judgment acknowledging he understood his conditions of supervised release.

Pioneer Human Services (PHS) notified the undersigned officer that on January 10, 2019, Mr. Ariza did not return to his chemical dependency class after a scheduled break.

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PHS staff informed the undersigned officer that on January 15, 2019, Mr. Ariza did not return to his chemical dependency class after a scheduled break.

PHS staff informed the undersigned officer that on January 17, 2019, Mr. Ariza was several minutes late returning to his chemical dependency class after a scheduled break. He was not allowed to return to group after being late and was asked to leave.

PHS staff informed the undersigned officer that on January 28, 2019, Mr. Ariza did not return to his chemical dependency class after a scheduled break.

PHS staff informed the undersigned officer that on February 4, 2019, Mr. Ariza was a no show for his scheduled chemical dependency class.

2 **Special Condition # 3:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Ariza is alleged to have violated special condition number 3 for failing to provide random urinalysis tests at PHS on January 10 and 18, 2019.

On November 16, 2018, Mr. Ariza reported to the U.S. Probation Office for the purpose of an intake. It was at that time Mr. Ariza was informed of all mandatory, standard, and special conditions of supervised release. Mr. Ariza signed his judgment acknowledging he understood his conditions of supervised release.

On January 10 and 18, 2019, the color of the day for random urinalysis testing at PHS was Brown 1, Mr. Ariza's assigned color for urinalysis testing. He had been instructed to call the urinalysis testing hot-line daily and if Brown 1 was called, he was instructed to provide a random urinalysis test at PHS between 7:00 a.m. and 7:00 p.m.. On January 10 and 18, 2019, Mr. Ariza failed to provide a random urinalysis test as instructed.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 02/08/2019

s/Corey M. McCain

Corey M. McCain
U.S. Probation Officer

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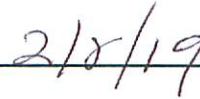
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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer



Date